

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Criminal No. 06-106 (RHK/FLN)

Plaintiff,

v.

**ORDER GRANTING EXTENSION
AND FINDING EXCLUDIBLE
DELAY**

TIM HONGGUO TIAN,

Defendant.

Defendant Tim Hongguo Tian, through counsel, has brought a Motion for an extension of this Court's trial date of July 10, 2006. After considering the motion the Court grants an extension of the trial date to September 18, 2006.

In granting that extension the Court specifically finds that it is in the interests of justice to grant the extension to allow counsel for Defendant to prepare for his defense of wire fraud, mail fraud through the deprivation of honest services and unlawful access of a protected computer in violation of Title 18, United States Code, Sections 1341, 1343, 1346, and 1030 (a)(4). On June 28, 2006 the Defendant retained new counsel of his choice to pursue his defense. That counsel will need additional time, exercising due diligence to prepare for trial.

Counsel for Mr. Tian has made a sufficient showing that even exercising due diligence he will not be able to be prepared to defend his client by the trial date of July 10, 2006. The Court finds pursuant to 18 U.S.C. §3161 (h)(8)(A) that the ends of justice outweigh the best interests of the defendant and the public in a speedy trial and grants a

period of excludible delay from the date of this Order to September 18, 2006.

Dated July 6, 2006

s/Richard H. Kyle

SENIOR JUDGE RICHARD H. KYLE
UNITED STATES DISTRICT COURT